

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.	CV 22-08522-FWS (PVCx)	Date	August 31, 2023
Title	Donovan J. Foster v. The United States of America et al		

PRESENT:

HONORABLE FRED W. SLAUGHTER, UNITED STATES DISTRICT JUDGE

Melissa H. Kunig
Deputy Clerk

Sharon Seffens
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

Veronica Aguilar

Jonathan Blakey

PROCEEDINGS: MOTION OF VERONICA M. AGUILAR TO WITHDRAW AS ATTORNEY OF RECORD [41]

DEFENDANT'S MOTION TO DISMISS FIRST AMENDED COMPLAINT [43]

DEFENDANT'S EX PARTE APPLICATION FOR ORDER TO STRIKE PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS, OR IN THE ALTERNATIVE, CONTINUE DEFENDANT'S REPLY DEADLINE AND THE MOTION TO DISMISS HEARING [47]

PLAINTIFF'S MOTION TO NOTIFY THE COURT OF ATTORNEY DISAPPEARANCE AND REQUEST TO PROCEED PRO PER [49]

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT OR SUMMARY ADJUDICATION OR BOTH [48]

Motion hearings held. The Court hears oral argument from the parties. For the reasons stated on the record, the Court order as follows:

- The court sanctions Plaintiff's attorney, Veronica Aguilar \$100 for his failure to comply with court orders (Dkt. 52). Payment shall be made to the Clerk of the Court no later than **Thursday, August 31, 2023**;
- Motion of Veronica M. Aguilar to Withdraw as Attorney of Record [41] is **GRANTED**; The parties shall file a Request for Approval of Substitution or Withdrawal of Counsel (G-01) so that pro se Donovan Foster's contact information is added to the docket.

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The clerk provided the parties with a blank G-01 request and proposed order as well as a blank Application and Proposed Order for Permission for Electronic Filing (CV-005) for pro se Donovan Foster.

- Plaintiff's Motion for Summary Judgment or Summary Adjudication or Both [48] is **WITHDRAWN**;
- Plaintiff's Motion to Notify the Court of Attorney Disappearance and Request to Proceed Pro Per [49] is **DENIED AS MOOT**;
- Defendant's *Ex Parte* Application for Order to Strike Plaintiff's Opposition to Defendant's Motion to Dismiss, or in the Alternative, Continue Defendant's Reply Deadline and the Motion to Dismiss Hearing [47] is **GRANTED**;
- The hearing on Defendant's Motion to Dismiss First Amended Complaint [43] is **CONTINUED to September 28, 2023, at 10:00 a.m.**
 - o Plaintiff Donovan Foster's OPPOSITION to Motion to Dismiss First Amended Complaint is hereby **STRICKEN**;
 - o Plaintiff shall file a renewed Opposition to the Motion to Dismiss First Amended Complaint no later than **September 7, 2023**;
 - o Defendant shall file a new reply to the Motion to Dismiss First Amended Complaint no later than **September 14, 2023**.

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 Initials of Deputy Clerk mku

cc: Fiscal
Civil Intake - SA